

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

JAIME SANTIAGO-ACOSTA, et. al.

Plaintiffs

v.

**CIVIL NO. 98-2328 (JAG)**

LUIS A. OLIVER-CANABAL, et. al.

Defendants

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 U.S. DISTRICT COURT  
 SAN JUAN, P.R.

**REPORT AND RECOMMENDATION**

<b>MOTION</b>	<b>RECOMMENDATION</b>
Date Filed: March 20, 2000  Title: Motion in Opposition to Dismissal.  Docket No.: 22 <input checked="" type="checkbox"/> Plffs <input type="checkbox"/> Defs <input type="checkbox"/> Other	The Court has recommended that Defendants' Motion to Dismiss (Docket No. 19) be <b>DENIED</b> . <u>See</u> ruling as to Docket No. 19.

<b>MOTION</b>	<b>RECOMMENDATION</b>
Date Filed: March 10, 2000  Title: Motion to Dismiss  Docket No.: 19 <input type="checkbox"/> Plffs <input checked="" type="checkbox"/> Defs <input type="checkbox"/> Other	The Court hereby <b>RECOMMENDS</b> that defendants' motion to dismiss for lack of prosecution pursuant to Fed. R. Civ. P. 41 (b) be <b>DENIED</b> , as discovery in this case has in effect proceeded.

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Civil No. 98-2328 (JAG)

-2-

MOTION	RECOMMENDATION
Date Filed: June 28, 1999	<u>See</u> ruling as to Docket No. 9.
Title: Motion in Opposition to Dismissal.	
Docket No.: 14	
<input checked="" type="checkbox"/> Plffs <input type="checkbox"/> Defs <input type="checkbox"/> Other	

MOTION	RECOMMENDATION
Date Filed: April 9, 1995	The Court hereby recommends that the complaint be <b>DISMISSED</b> as to all claims brought by plaintiff's spouse and their conjugal partnership. These plaintiffs lack standing to sue under Section 1983 since no direct constitutional deprivation is alleged as to them. <u>See, e.g., Quiles Rodríguez v. Calderón</u> , 172 F. Supp. 2d 334, 347 (D.P.R. 2001); <u>Martell v. Commonwealth of Puerto Rico</u> , 48 F. Supp. 2d 81, 93 (D.P.R. 1999). Also the Court <b>RECOMMENDS</b> that the supplemental claims of these parties be <b>DISMISSED</b> .
Title: Motion to Dismiss and Supporting Memorandum of Case.	
Docket No.: 9	
<input type="checkbox"/> Plffs <input checked="" type="checkbox"/> Defs <input type="checkbox"/> Other	

Under the provisions of Rule 510.2, Local Rules, District of Puerto Rico, any party who objects to this report and recommendation must file a written objection thereto with the Clerk of the Court within ten (10) days of the party's receipt of this report and recommendation. The written objections must specifically identify the portion of the recommendation, or report to which objection is made and the basis for such objections. Failure to comply with this rule precludes further appellate review. See Thomas v. Arn, 474 U.S. 140, 155 (1985), reh'g denied, 474 U.S. 1111(1986); Davet v. Maccorone, 973 F.2d 22, 30-31 (1<sup>st</sup> Cir. 1992); Paterson-Leitch v. Massachusetts Elec., 840 F.2d 985 (1<sup>st</sup> Cir. 1988); Borden v. Secretary of Health and Human Servs., 836 F.2d 4, 6 (1<sup>st</sup> Cir. 1987); Scott v. Schweiker, 702 F.2d 13, 14 (1<sup>st</sup> Cir. 1983); United States v. Vega, 678 F.2d 376, 378-79 (1<sup>st</sup> Cir. 1982); Park Motor Mart, Inc. Ford Motor Co., 616

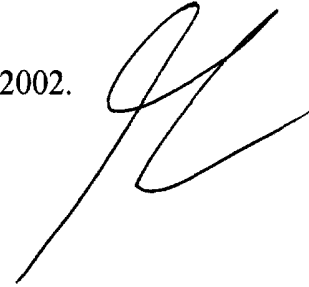
Civil No. 98-2328 (JAG)

-3-

F.2d 603 (1<sup>st</sup> Cir. 1980).

**SO RECOMMENDED.**

At San Juan, Puerto Rico, this 24<sup>th</sup> day of January, 2002.

A handwritten signature in black ink, consisting of a stylized 'G' followed by a series of loops and a long horizontal stroke extending to the right.

GUSTAVO A. GELPI  
United States Magistrate-Judge